



U.S. Department of Justice

*United States Attorney
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June 22, 2021

Via ECF

Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *National Audubon Society v. Haaland et al.*, 20 Civ. 5065 (LJL)

Dear Judge Liman:

This Office represents defendants Deb Haaland,¹ Martha Williams, U.S. Department of the Interior, and the U.S. Fish and Wildlife Service (collectively, “Defendants”) in this matter brought by plaintiff National Audubon Society (“Plaintiff”) under the Administrative Procedure Act and the National Environmental Policy Act.

Defendants write respectfully pursuant to the parties’ Second Stipulation and Consent Order Staying the Case, entered on April 23, 2021 [Dkt. No. 76], to report that Defendants have determined or anticipate determining to revise the 2019 interpretation of 16 U.S.C. § 3505(a)(6)(G), which is the subject of Plaintiff’s lawsuit. Defendants further anticipate issuing a new legal interpretation before July 16, 2021.

To allow the parties sufficient time to review the new legal interpretation and determine its effect on this case, the parties respectfully request that the status conference scheduled for July 16, 2021, at 11:00 a.m. [Dkt. No. 76], be adjourned to July 23, 2021, or some other date convenient to the Court and the parties. The parties further request that the stay of this case as implemented by prior orders be extended from June 25, 2021, to either: (1) the day of the rescheduled conference, if the parties’ request for an adjournment of the July 16 conference is granted; or (2) to July 16, 2021, if the parties’ request for an adjournment of the conference is denied. Plaintiff and Intervenors consent to these requests. This is the parties’ first request for an adjournment of the July 16 status conference, and their third request for a stay of this case.

The parties thank the Court for its consideration of this matter.

¹ Deb Haaland was sworn in as Secretary of the Interior on March 16, 2021, and was automatically substituted as a party pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

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Respectfully submitted,

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cc: Counsel of record (via ECF)